

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Edward A. Belbruno, Ph.D.

Serial No. unknown

Filed: herewith

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Group Art Unit:

Examiner:

For: LOW ENERGY METHOD FOR CHANGING THE INCLINATIONS OF
ORBITING SATELLITES USING WEAK STABILITY BOUNDARIES
AND A COMPUTER PROCESS FOR IMPLEMENTING SAME

TERMINAL DISCLAIMER PURSUANT TO 37 CFR § 1.321(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

GALAXY DEVELOPMENT LLC (Your Petitioner), a limited liability company under the State of Delaware, and having an office at 14942 Gault Street, Van Nuys, CA 91405, represents that it is the Assignee of the entire right, title and interest in and to U.S. Application Serial No. 10/---,---, entitled LOW ENERGY METHOD FOR CHANGING THE INCLINATIONS OF ORBITING SATELLITES USING WEAK STABILITY BOUNDARIES AND A COMPUTER PROCESS FOR IMPLEMENTING SAME, filed on 22 March 2004, by virtue of an Assignment executed by the inventor on 6 January 1998, and filed herewith.

Your Petitioner further represents that it is the assignee of the entire right, title and interest in and to:

United States Patent Application No. 10/410,243, filed 10 April 2003, by virtue of the Assignment executed by the inventor on 6 January 1998, and recorded on 10 April 2003 at Reel 013966, Frame 0195;

United States Patent No. 6,278,946, issued 21 August 2001 (09/277,743, filed 29 March 1999), by virtue of the Assignment executed by the inventor on 6 January 1998, and recorded on 11 January 1999 at Reel 9688, Frame 0381;

United States Patent No. 6,442,482, issued 27 August 2002 (09/915,565, filed 27 July 2001) by virtue of the Assignment executed by the inventor on 6 January 1998, and recorded on 27 July 2001 at Reel 012048, Frame 0543;

United States Patent No. 6,097,997, issued 1 August 2000 (09/304,265, filed 6 May 1999), by virtue of the Assignment executed by the inventor on 6 January 1998, and recorded on 25 May 1999 at Reel 009972, Frame 0621;

United States Patent No. 6,341,250, issued 22 January 2002 (09/612,262, filed 7 July 2000), by virtue of the Assignment executed by the inventor on 6 January 1998, and recorded on 7 July 2000 at Reel 010994, Frame 0966;

United States Patent No. 6,253,124, issued 26 June 2001 (09/306,793, filed 7 May 1999), by virtue of the Assignment executed by the inventor on 6 January 1998, and recorded on 7 May 1999 at Reel 009969, Frame 0653;

United States Patent No. 6,577,930, issued 10 June 2003 (09/849,273, filed 7 May 2001) by virtue of the Assignment executed by the inventor on 6 January 1998, and recorded on 8 February 2002 at Reel 012583, Frame 0098; and

United States Patent No. 6,385,512, issued 7 May 2002 (09/549,585, filed 14 April 2000) by virtue of the Assignment executed by the inventor on 23 August 2000, and recorded on 23 August 2000 at Reel 011083, Frame 0293.

Your Petitioner hereby disclaims the terminal part of any patent granted on said U.S. Application Serial No. 10/---,---, which would extend beyond the expiration date of U.S. Patent Application No. 10/410,243, U.S. Patent Nos. 6,278,946; 6,442,482; 6,097,997; 6,341,250; 6,253,124; 6,577,930 and 6,385,512 and any patent(s) which issue therefrom.

Your Petitioner further agrees that any patent issuing on said U.S. Patent Application Serial No. 10/---,--- shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Application No. 10/410,243, U.S. Patent Nos. 6,278,946; 6,442,482; 6,097,997; 6,341,250; 6,253,124; 6,577,930 and 6,385,512 and any patent(s) which issue therefrom, this agreement to run with any patent granted on said U.S. Patent Application Serial No. 10/---,--- and to be binding upon the grantee, its successor or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§§§ 154, 155, 156 and 173 of the prior patent, as

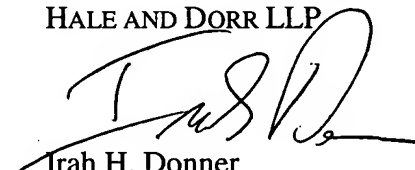
presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned Attorney of Record further declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please charge the \$110.00 Disclaimer fee to Deposit Account Number 08-0219.

Respectfully submitted,

HALE AND DORR LLP



Irah H. Donner
Registration No. 35,120

1455 Pennsylvania Ave., NW

Washington, DC 20004

TEL 202.942.8585

FAX 202.942.8484

Date: 3/22/04

IHD/mgm